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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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March 20, 2006

Ref: 8ENF-L

SENT VIA REGULAR MAIL

John Krause, Environmental Scientist
Western Regional Office
Bureau of Indian Affairs
U.S. Department of the Interior
P.O. Box 10
Phoenix, AZ 85001

Re: Request for Soil and Groundwater Assessment
Assistance, Hecla Mining Company Apex Site,
Pond 2, St. George, Utah

Dear John:

This letter pertains to our conversation of February 24, 2006, regarding the Bureau of Indian Affairs' (BIA) request for technical assistance from the Environmental Protection Agency (EPA) in installing groundwater monitoring wells at Hecla Mining Company's Apex Site Pond 2. As part of a proposal to assess the soil and groundwater in the vicinity of Pond 2 for evidence of past releases, BIA consultant Ninyo & Moore recommended the installation of four groundwater monitoring wells alongside Pond 2 in a report dated January 12, 2006. It is my understanding that BIA desires EPA input in determining the appropriate well locations. While EPA appreciates being consulted by BIA in this matter, EPA declines to offer its technical assistance. EPA sees no reason or benefit to putting additional resources toward the project proposed by Ninyo & Moore when the matter already has been sufficiently evaluated and determined to be of no concern.

As we have discussed previously, the issue of potential ground water contamination from Pond 2 has been the focus of extensive analysis and sampling since EPA first began investigating the Hecla site in 1998. Prior to that time, four ground water characterization wells were installed at the site in 1983. A summary of existing ground water data for the site prepared for Hecla in February 2001, included a ground water supply report prepared by SRK in 1984, a sampling episode collected in 1988 by Bradley Harr, pump and recovery tests performed in 1995 for Hecla and a water quality spread sheet prepared by OMG in 1998, summarizing water quality analysis data for the four wells drilled in 1983 for the period 1983 through 1998.



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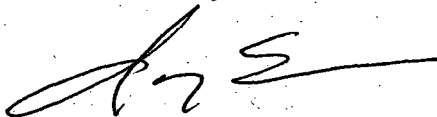
Pursuant to an EPA order issued to Hecla under section 3013 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6934, on September 22, 1999, Hecla's resulting work plans included significant ground water consideration, including sampling to determine whether a migration pathway existed below the liner and posed a threat of potential ground water contamination. Based on EPA comments to the work plans, Hecla agreed to install a shallow groundwater monitoring well down gradient from Pond 2 at the point of contact with the underlying bedrock to determine the existence of any appreciable liquid contamination. It was the consensus of both Hecla and EPA hydrologists that leakage from Pond 2 would not have reached groundwater and would most likely be in near-surface materials that are partially-saturated. This opinion was confirmed by the October 2001 Pond 2 site investigation which determined that there was no seepage migration and provided answers to many previously-unknown questions concerning the site.

After visiting the Hecla site in May 2005, for the purpose of addressing, in part, the ability of liquids to migrate beyond Pond 2 via surface water and ground water, EPA Geohydrologist Randall W. Breeden confirmed these prior findings. In his report entitled "Technical Memorandum for the Site Visit to the Hecla Impoundment (Pond #2) and Inspection of the Supplemental Environmental Project at the OMG Facility, St. George, Utah," Mr. Breeden states that "... the sandstone bedrock is several hundred feet thick and serves as an aquitard to the much deeper aquifer (ground water is greater than 200 feet below the ground surface), as such there is virtually no possibility that, if liquids did migrate from the unit that ground water would be impacted."

Because of the prior extensive sampling and analysis of Pond 2, EPA does not see the need for additional ground water monitoring. EPA is concerned, however, that installation of the proposed wells in and around Pond 2 may damage the final cap installed by Hecla and ultimately jeopardize the integrity of the cap. If BIA opts to continue with installing new ground water monitoring wells at Pond 2, EPA recommends that it consult with Hecla and its engineers responsible for designing and installing the cap before commencing with any well-drilling activities. EPA stresses the need to exercise caution in performing any work at the site in and around the final cap.

EPA is in the process of finalizing its administrative record for the Hecla Apex Site so as to be best able to provide BIA and other interested persons with information in support of EPA's site-related decisions including, but not limited to, issuing the RCRA § 3013 Order, negotiating the RCRA § 7003 Administrative Order on Consent, and approving Hecla's Closure Plan. Please contact Eric Johnson at (303) 312-6357 if you or your consultant are interested in reviewing the administrative record. The administrative record may be viewed in EPA Region 8's office in Denver, Colorado.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Swanson", with a stylized flourish at the end.

Amy Swanson, Attorney
Legal Enforcement Program

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bcc: Eric Johnson, 8ENF-UFO
Donna Jackson, 8P-TAP

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